

THE Special EDge



Alternative Dispute Resolution Process Proves Effective

Saving Relationships While Solving Problems

by Elissa Provance, Associate Editor

It is no coincidence that programs to resolve disputes between districts and parents in Contra Costa, El Dorado, and Placer-Nevada Counties are successful. Nor is it by accident that they share similar features. These administrators discovered what works and have stayed true to some basic concepts, the most important of which is, alternative dispute resolution processes do not just solve problems—they save relationships.

"Motivation for alternative dispute resolution at the local level is there because participation is voluntary and solutions are mutually agreed-upon. That allows the parties to maintain a relationship while solving the problem," said Sam Neustadt, administrator of the newly-opened Procedural Safeguards Referral Service Unit, part of the California Department of Education (CDE), Special Education Division's effort to provide options and resources for resolving disputes. "Due process hearings impact the relationship between parents, schools, principals, and teachers who want to do the right thing for kids everyday."

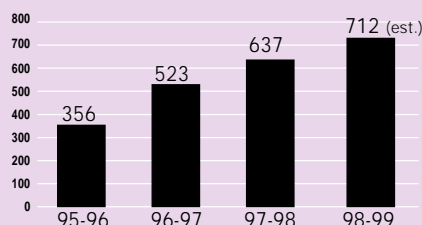
The Way We Were

Alternative dispute resolution (ADR) processes emerged in the early 1990s as one option to avoid state level due process hearings, which are filed with McGeorge School of Law under a contract with CDE.

"Going to due process was not my favorite thing to do," said Barbara Morton, special

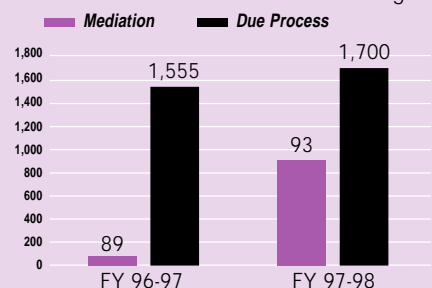
Alternative Dispute Resolution May Stem The Increasing Numbers of Complaints, Requests for Due Process Hearing, Mediation

Complaints Received



Source: California Department of Education requests for Complaints, Management and Mediation Unit, Special Education Division, 1999

Mediation and Due Process Hearings



Source: McGeorge School of Law, 1999

education local plan area (SELPA) director for El Dorado County. "Someone wins, someone loses. It's tough to preserve the relationship. You walk away not feeling good."

Kay Atchison, SELPA director for Placer-Nevada County, which began an ADR program in 1996, agreed. "Superintendents and special education administrators were concerned about the costs of due process, damaging relationships, and dealing with difficult cases. We needed to look at options to avoid the breakdown in communication between parents and districts."

Added Johnny Welton, SELPA director for Contra Costa County, "Prior to the ADR process, districts were on their own to collect information from McGeorge and to start meeting with parents." And while the administrators agreed that informal mechanisms

were in place to resolve differences, it was clear that despite the districts' best efforts, due process hearings were on the rise as were the costs, both financially and emotionally. "The climate," Morton said, "was changing."

Encouraging Local Problem-Solving

Procedural safeguards that guarantee students with disabilities a free appropriate public education (FAPE) are outlined in the Individuals with Disabilities Education Act (IDEA). California Education Code, Part 30 ensures these safeguards are established. Procedures in the past were limited to filing a complaint, which alleged a violation of federal or state law or regulations that prevented FAPE, mediation, and due process hearings through McGeorge for issues associated with identi-

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Regional Forums Planned



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The Special EDge is published bimonthly by Resources in Special Education. Funding is provided by the California Department of Education, Special Education Division, through Contract No. 7156 with WestEd. Contents of this document do not necessarily reflect the views or policies of the California Department of Education or WestEd, nor does mention of trade names, commercial products or organizations imply endorsement.

Circulation: 40,642.

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Providing information
development and
dissemination for the
California Special
Education Division
under the Comprehensive
System of Personnel
Development



DIRECTIONS...

Promoting Change, Preventing Failure

by Alice Parker, State Director of Special Education

In recent months, Special Education Division staff, along with special education local plan areas (SELPAs), county offices of education and their superintendents, local directors, advocates, and parents have been hard at work with the common purpose of helping students with disabilities be successful. With the implementation of Assembly Bill (AB) 602, the new special education funding model, and proposed recommendations from the AB 602 Workgroup (see pp. 8-9), we have a golden opportunity to make a change in children's lives that will improve both their quality of life and ours.

While the impact of AB 602 is on funding, accountability and compliance issues are also part of this law. Local plans will require serious thought on an annual basis, keeping in mind the idea that special education is not just a place, but a set of services that help children be successful.

To prevent classroom failure, a stakeholders group is deciding on goals and level of performance for students and schools for the State. An annual self-review document will be completed for each local education agency (LEA) and data contained in these reviews will allow LEAs to obtain specific information about themselves and other LEAs statewide. An example might be that when an LEA is doing a good job in reading, other LEAs can ask how they achieved those positive results.

To promote local change and autonomy, consultants are receiving training to become facilitators of local stakeholder groups. Complaint management will be handled in three chunks—the Procedural Safeguards Referral Service now completes intake and handles specific problems regarding disputes, and the Complaint Management and Mediation Unit conducts investigations and generates reports with specific corrective actions that are followed-up by the Compliance and Monitoring Unit. It is a very communication intensive process and, because we all have a piece in it, we all have to talk.

The Legislature gave the Assembly Bill 602 Workgroup—composed of equal numbers of parents and educators—the task of recommending how the state should ensure and maintain compliance with federal and State special education law. All of us in the Division have been affected by the understanding, commitment, and goodwill brought to this task by each member of the Workgroup. Their final report will be transmitted to the Legislature and Governor in March. ✎

CORRECTION

In the Fall 1998 issue of *The Special EDge*, important information was omitted from the story on page 3 entitled "State Moves to Quality Assurance, Focused Monitoring." The significant contribution and work by the programs supervised by Larry Gloeckler, deputy commissioner of the New York Department of Education provided important technical assistance and documents that will help shape the new quality assurance process in California.

ALTERNATE ASSESSMENT DRAFT GUIDELINES, STAR SCORES DUE SPRING

Beginning July 1, 2000, the Individuals with Disabilities Education Act '97 requires that alternate assessments be provided to students with severe disabilities, allowing them to participate in state-wide and districtwide assessments.

To meet that deadline, a 16-member task force continues to refine guidelines for alternate assessments for the estimated 10-20 percent of students who, because their instructional program is primarily nonacademic, cannot meaningfully participate in large scale testing, even with accommodations, such as extended time or a separate setting.

The task force, made up of representatives from professional organizations, researchers, California Department of Education staff from both general and special education, and the Advisory Commission on Special Education, presented a draft report at the recent Association of California School Administrators conference. *Guidelines for Including Students with Disabilities in Regular State and Districtwide Assessments* recommends that a student's curriculum guide the choice of assessment. Among the criteria the individualized education program (IEP) team should consider when selecting an alternate assessment are

1. whether the student participates in an academic or functional curriculum;
2. whether the student is working toward a standard high school diploma; and
3. whether the IEP team has established differential standards.

The draft is anticipated for public input by spring.

Also due in spring are Statewide Testing and Reporting (STAR) Program scores for the 25 percent of students with disabilities who were administered the state's achievement test during the 1997-98 school year using nonstandard accommodations. Only raw scores were reported to parents for this group of students. After a series of discussions and an error in scanning certain information, Harcourt Brace, the test publisher, has forwarded the corrected data to the Assessment, Evaluation, and Support Unit of the Special Education Division to report percentile rank scores for the nearly 114,000 students who took the Stanford 9 last year. ♣

For more information, contact Mark Fetler, Research Consultant, at 916/322-0373.

A TEAM APPROACH TO TECHNICAL ASSISTANCE

In keeping with the spirit of the interagency agreement between the California Department of Education (CDE) and the Department of Rehabilitation (DR), a subunit of the Instructional Support Unit of the Special Education Division was formed to help carry out the agreement's purposes.

The agreement between the two agencies, which became effective August 1998, addresses transition planning and services for secondary students with disabilities as outlined in the 1998 Rehabilitation Act Amendments and the 1997 Individuals with Disabilities Education Act Amendments. The goal of this cooperative effort is to create an effective and seamless school-to-work transition services delivery system for eligible secondary students with disabilities.

The team, comprised of Betty Carr and Linda Wyatt, special education consultants from CDE, and Bea Petree, an associate government program analyst, will provide technical assistance to secondary students with disabilities and DR clients and their families. ♣

For more information, contact the Instructional Support Unit at 916/445-4643.

STATE TO RECEIVE \$10 MILLION FOR PERSONNEL DEVELOPMENT ACTIVITIES

California was recently awarded nearly \$10 million from the U.S. Department of Education, Office of Special Education Programs for personnel development activities.

State Director of Special Education Alice Parker was notified about the funds, which equal approximately \$1.85 million per year for five years. Janet Canning, special education consultant for the Special Education Division submitted the State Improvement Grant on behalf of the Partnership Committee on Special Education (PCSE), which wrote the grant to reform and improve existing systems for providing educational, early intervention, and transition services. Grant writing technical assistance was provided by the California Services for Technical Assistance and Training through a contract with Sonoma State University.

PCSE developed the grant around eight elements of an effective special education system: high academic standards, results, transition standards, disciplinary strategies, education reform coordination, service integration/coordination, consumer/parent involvement, and research-based strategies. Members will meet again to coordinate the Plan's implementation. ♣

For more information, contact Canning at 916/327-4217.

GUIDELINES ADDRESS EVALUATION AND REEVALUATION

California's implementation of the changes in the federal Individuals with Disabilities Education Act (IDEA) of 1997 requires an understanding of state education code and regulations in place prior to IDEA enactment as well as California's new IDEA alignment legislation (Senate Bill 1686). The Special Education Division of the California Department of Education (CDE) has prepared *Guidelines for Individual Evaluation of California Students with Disabilities, Birth Through Age Twenty-One*, which identifies the guiding principles of the evaluation process that public educational agencies must adhere to when determining a student's educational needs in relation to their progress in the district curriculum, whether a student has a disability, and whether or not the student requires special education and related services.

An individual evaluation process including an individualized education program (IEP) team decision about eligibility criteria is required prior to a student's placement in a special education program; prior to any significant change in the unique combination of facilities, personnel, location or equipment necessary to provide special education services; and at least every three years a reevaluation, unless requested sooner by the parent or teacher. The purpose of the reevaluation or triennial review includes a report following the IEP team's determination as to whether the student continues to have a disability, how they are progressing in the district curriculum, and whether they continue to require special education services.

Throughout the guidelines, differences in the terminology of assessment practices and the decision-making responsibilities of the IEP team, including assessment personnel, during the evaluation process are highlighted. This is to illustrate various procedural safeguards required in the major stages of the evaluation process: prior written notice for the referral and informed parent consent for assessment; testing procedures and data collection; and decision-making responsibilities of the IEP team including the student's participation in ongoing statewide and districtwide achievement testing. ♣

The guidelines may be accessed through CDE's website at www.cde.ca.gov/spranch/sed/evalguid.htm or by contacting the Assessment, Evaluation and Support Unit, 916/445-4628. Specific questions may be directed to Devena Reed, Special Education Consultant, at 916/327-3658.

SPECIAL EDUCATION SUNSET REPORT IDENTIFIES SEVEN AREAS OF UNMET NEEDS

Nearly 30 recommendations are being offered to the California Legislature, in accordance with California Education Code section 62000.8, which extended the sunset for special education programs from June 30, 1998 to June 30, 2000.

The California Department of Education, Special Education Division prepared the *1999 Sunset Review Report on Special Education Programs*, which provides a review of special education programs during the last two years. Following are the recommendations in the areas where unmet needs were identified.

- **Reauthorization of Special Education:** Reauthorize Part 30 of the Education Code to assure that students with disabilities continue to receive a free appropriate public education.
- **Sunset Review:** Remove special education from the sunset provisions of Part 34 of the Education Code, which would also remove special education as a categorical program.
- **Personnel:** Among the nine recommendations in this area were to create a system to better prepare special education personnel; establish and enforce statewide competencies; special education student teaching for special education credential candidates; and a limit on the use of waivers, emergency credentials, and long-term substitutes.
- **Paperwork:** Revise the Education Code to emphasize learning and performance rather than compliance with paperwork; require teachers to do required paperwork outside of instructional hours and be paid for any additional time it takes; provide an aide and secretarial support to assist with paperwork; create standard forms; and reduce caseloads and class sizes.
- **Accountability:** Amend Education Code to provide incentives and rewards to implement the Special Education Quality Assurance and Focused Monitoring process at the local education agency; allocate resources to monitor student outcomes; determine consequences for noncompliance; and provide adequate resources to implement mandated programs.
- **Behavior:** Intervene earlier in preschool and primary grades to assist students and families; reduce categorical distinctions among students; increase the number of school counselors and psychologists; estab-

lish resources to deliver services in the neighborhood; and increase the budget for county mental health services.

- **Funding:** Comments on inadequate funding, rather than recommendations, were offered in this area due to little consensus. Comments included inadequate funding has led to heavy caseloads and larger class sizes; out-of-date equipment and other teaching materials; and new programs, technologies, and designated instruction services are not sufficiently funded. ❖

For more information, contact Janet Canning, Special Education Consultant, at 916/327-4217.

ADVISORY COMMISSION ON
SPECIAL EDUCATIONNUMBER ONE PRIORITY
IS SPECIAL DAY CLASS SIZE

by Larry Komar, Chair

Last year, the Advisory Commission on Special Education decided to address issues of special day class size and caseloads of other service providers such as speech and language specialists. The major concerns were that conditions of overcrowding and large caseloads negatively impact a teacher's ability to provide individualized services to their students with exceptional needs. The Commission conducted 12 public hearings on those issues receiving input from teachers, administrators, and parents.

Among the issues raised through public input were overcrowding, small classrooms, a lack of credentialed or trained teachers, a lack of administrative support, poor teaching materials, and too much paperwork.

Concurrent with these hearings and with the support of the California Association of Resource Specialists and Special Education Teachers, a questionnaire was developed and distributed to teachers regarding the situations in their classrooms. The Commission has received thousands of completed questionnaires and is currently collating the data with the assistance of the Los Angeles County Office of Education.

The Commission is also developing a strategic plan on the class size/caseload issue. Representatives from professional organizations were invited to collaborate with the Commission and create the groundwork for needed legislation. It will take a great deal of effort to resolve this critical and complex issue, which is why the Commission has made it the number one goal for 1999. ❖

For information, contact Darlene Helbling, Commission Secretary, at 916/445-4603.

REWARDING GENERAL/SPECIAL EDUCATION COLLABORATION

A joint project of the Association of California School Administrators (ACSA), the Schwab Foundation for Learning, and California Services for Technical Assistance and Training (CalSTAT), a special project of the California Department of Education through Sonoma State University, the 1998-99 General Education-Special Education Collaborative Challenge, will select, reward, and share information about successful collaborations between general and special educators serving the needs of students with learning disabilities in the regular classroom setting.

"There are hundreds of fabulous programs that serve students with learning differences," said Maureen Burness, chair of ACSA's Pupil Services and Special Education Committee. "We're committed to highlighting the most outstanding collaborations in California's public schools." Added Scott Flemming, program manager at the Schwab Foundation and leader of the Collaborative Challenge, "Our goal is to identify four model projects and provide them with resources such as training, travel, and substitutes so they can share their work with others and build on their successes."

Selected projects will receive \$10,000 for professional development, plus news coverage and training to effectively share the success of their projects. Applications must be postmarked by April 12, 1999. ❖

For an application or more information, contact the Schwab Foundation at 800/230-0988.

SPECIAL EDUCATORS STILL AWAIT IDEA REGULATIONS

Although amendments to the Individuals with Disabilities Education Act became law on June 4, 1997, regulations governing these changes have yet to be released.

The amendments raised expectations for the nation's students who receive special education services and the level of accountability for that education. The most recent update from the U.S. Department of Education, Office of Special Education Programs (OSEP), dated Oct. 22, 1998, ensures the Department is working on the regulations. Secretary Richard Riley guarantees the regulations will be released by March 5, 1999. ❖

For more information, visit the OSEP website at www.ed.gov/offices/OSERS/IDEA/updates.html.

Sam Neustadt, Administrator
Procedural Safeguards Referral Service Unit, Special Education Division

Facilitating Change by Encouraging Relationships

by Elissa Provance, Associate Editor

While vacationing in New Mexico last year, Sam Neustadt, principal at Baywood Elementary School in San Mateo-Foster City School District at the time, received a telephone call from State Director of Special Education Alice Parker.

"I called Sam because I was looking for someone with current field experience who had proven success in serving all students, whether general or special education," Parker said, adding, "I wanted someone with a track record and Sam had that." So in October 1998, Neustadt was named administrator of the PSRS Unit, which officially opened in January. "The reason I'm here is I truly believe all kids can learn and do learn with appropriate instruction," he said. "I have a contribution to make as part of the bigger team."

His success as a team player is evident. Along with Baywood, Neustadt served as principal for Farallone View, named a California Distinguished School under his leadership, and Kings Mountain Elementary Schools in Cabrillo Unified School District.

"Our goal was to have all children read at grade level by second grade," Neustadt said. "Not only were we recognized for meeting that goal, but we also retained it regardless of primary language or learning disability—all kids."

Neustadt, who also holds several credentials and has taught primarily kindergarten through sixth grade, will surely miss the classroom, the kids, and the activity that was ever-present on his various school campuses.

"Kids are like sponges," the new administrator said. "If you put information out there in a developmentally appropriate way and in a meaningful context, they learn. It's like in the fall they're learning sequential skills and in the spring they're reading." Lkening it to gardening, one of his many hobbies, he said, "It's like planting bulbs. You forget you did it until you see the flowers bloom."

Neustadt also pointed to early intervention as a key to reaching students who may be struggling academically. "Locally, we developed an inclusive vision of what's important and how to go about seeing all kids get an appropriate education," he said. "We would intervene early with students who were hav-

ing difficulty, rather than wait until they failed. If you believe all kids can learn and seek those practices that support learning for all children, the differences aren't that great between the laws and pedagogy that govern general and special education."

Neustadt also sees his move, which, as a visiting educator, will last four years, as an opportunity to participate in systemic change at a larger level. "With the reauthorization of the Individuals with Disabilities Education Act and the state's response to the reauthorization, including the new funding model, I think this is the next best chance to actualize the rhetoric that all children can learn."



As far as leading the PSRS Unit, Neustadt said his goal, along with his seven staff members, is to provide easy access to technical assistance and resources for parents, simplify the complaints process, and provide the public with more timely and accurate responses. Neustadt also wants to promote and encourage alternative dispute resolution (ADR) as a way for people to reach amicable solutions without hindering access to due process, which still remains an option.

"I want to support a change in perception among our customers so that CDE is perceived as facilitating the educational process at the local level and supporting resolution of disputes in a timely manner as well as one that maintains relationships in as nonadversarial a manner as possible," he said. "There are winners and losers in due process. That doesn't change just because the issue is decided."

And in keeping with Parker's goal and philosophy of providing a user-friendly and customer-oriented environment, Neustadt wants to empower districts to resolve disputes locally through the ADR process and enhanced local involvement in the compliance complaint process.

Neustadt also pointed out that, despite the rise in the number of complaints, he is optimistic. "Last year, 2,200 formal state-level dispute activities were filed. Of those, only 78 resulted in due process and of those, 75 percent resulted in favor of the local education agency. There are 640,000 kids with IEPs (individualized education programs) in California. What that tells me is the vast majority of people are doing the right things for kids." ■

The Special Education Division of the California Department of Education created a database to respond to inquiries about the **Americans with Disabilities Act** and educational issues. It can be accessed at www.cde.ca.gov/spbranch/sed. For information, contact Linda Wyatt, special education consultant, at 916/327-0844.

The **Parent Leadership Training Institute**, provided by the Commission on Children in Connecticut, offers a 20-week course and practicum to teach parents how to become advocates for their children. Call 860/240-0290 for information.

Deaf Education & Access Foundation (DEAF) arranges for captioned movies to be shown in theatres. For listings, visit their website at www.deafaccess.org, check local newspapers for the Tripod Captioned Films logo, or call their voice line at 650/364-2062 or TTY at 408/245-6397.

"**On A Roll**," the only radio talk show in America devoted to disability lifestyle issues can be accessed at www.onarollradio.com or the Talk America Radio Network Sunday evenings, 9:05 p.m. eastern time. For information, contact Greg Smith at 937/767-1838.

Parents and other long-term caregivers whose children, ages 0-20, have received services for emotional, behavioral, or mental disorders are invited to participate in a national study conducted by the **Research and Training Center on Family Support and Children's Mental Health** at Portland State University. For information, call 800/628-1696.

A special training project for **speech and language professionals** is under development with the California Institute on Human Services, Los Angeles County Office of Education, Chapman University, California State University at Los Angeles, and Cerritos College. For more information, contact Judy Montgomery, lead consultant, at Montgome@chapman.edu.

The Healthy Start and After School Program Offices of the California Department of Education are accepting applications through March 12, 1999 for **After School Learning and Safe Neighborhoods Partnerships Programs**. For information, call 916/657-3558.

Proposals and applications for **School-to-Career (STC) Implementation Grant** funds are being accepted through June 1, 1999. Approximately \$29.5 million will be awarded to new and continuing local partnerships. For information, call 916/654-6138.

The **Corporation for Public Broadcasting** will invest \$6 million over five years to create professional development forums, workshops, and teaching laboratories for the nation's teachers. The project will be available free of charge on the digital Annenberg/CPB Channel. Harvard University and the Smithsonian Institute produce the Channel. Their website is www.learner.org.

The **American high school graduation rate** has slipped below those of most industrialized countries according to a new report by the Organization for Economic Cooperation and Development. Today's graduation rate is 72 percent, placing the U.S. second to last in the 29-nation group, above Mexico. Eighty percent of American 16-year-olds are enrolled in high school compared with the study's average of 84 percent.

ADR

Saving Relationships While Solving Problems

Continued from page 1

cation, eligibility, and service provision. In 1989, the State Legislature allocated funds for four ADR pilot sites to test the feasibility of solving disputes locally, rather than having a hearing officer or the courts decide a student's fate.

Morton and many other SELPAs define alternative dispute resolution as "an informal method of settling disagreements. It is a process that encourages all parties to problem solve and reach a mutually beneficial agreement." Administrators also note that solving disputes locally is more satisfying, less costly, faster, and more convenient.

While the details of each program vary, the ADR pilot projects left as their legacy a system that can be duplicated, regardless of location—El Dorado County is home to rural Somerset and Georgetown—or special education population—Contra Costa's count equals 9,500 in 17 districts while Placer-Nevada's is nearly 6,600 in 29 districts. This system includes Solutions Panels, parent-to-parent support, and designated personnel. Prevention activities, including individualized education program (IEP) team meetings facilitated by administrators, principals, general and special education teachers, and others who have special training, and community awareness inservices, are also used to avoid problems before they occur.

"We do parent surveys, pair new parents with experienced ones, provide a resource list, and show a video called 'Creating Solutions Together'," explained Morton. "We want to get the word out there before a situation arises."

Moving Toward Solutions

If a potential dispute cannot be resolved through preventive measures, Contra Costa, El Dorado, and Placer-Nevada SELPAs use a Solutions Team or a Solutions Panel. Volunteer members include special education directors, other school administrators, parents, direct service providers, community members, and general and special education teachers who are trained in conflict resolution, open communication, and negotiation skills. Although panel sizes vary between three and four participants, all include a parent and a teacher from a district other than the one involved in the dispute.

"People who have been trained have some unique and different skills," said Atchison. "It's somebody looking from the outside who is able to see where the breakdowns are. They know when the discussion is taking a left hand turn."

Solutions Teams are pulled together after a parent has notified the district of a problem. An ADR Intake Coordinator, in Contra Costa a half-time position and in El Dorado a shared full-time position, collects information, identifies and clarifies issues, explains the process, and acquires consent to share information with other parties. They also inform parents of their continued right to due process as an option.

"We don't own their problem or try to solve their problem," said Welton. "We get to a point where parents understand where we're going. That's the purpose of intake—to help the parent come to a course of action." Once the logistics are arranged—gathering the panel, finding a neutral location to meet, and briefing panel members—the procedure to find a solution begins.

He Said, She Said

Much like a formal legal trial, opening statements signal the beginning of the ADR process. However, rather than attorneys, who are not allowed in these proceedings, presenting the arguments, the parties speak for themselves.

In Contra Costa, an original pilot site, each party has 3-5 minutes to explain their situation. "We keep going back and forth to get to a point where everyone



Mary Ann Garcia (left), special education instructional aide with the Placer County Office of Education, listens as Cathy Hodges (center) and Barbara Schack, special day class teachers, discuss strategies.

said everything they needed to say," explained Welton, who described the physical set-up as one where the parties sit next to each other, with just a small distance separating them. "What happens naturally is they start talking to each other and creating an understanding." While this is happening, panel members facilitate the discussion with statements such as, "I heard you say XYZ, is that still true?" Welton pointed out, however, that the goal is not to have the parties immediately talk directly to each other since that sometimes causes emotions to flare.

Morton also explained that caucus remains an available option if the parties are having difficulties. Because it is a binding contract, "We want the parties to craft their own agreement," she said. "What we do is help them break down the problem into smaller pieces."

Morton and Atchison both emphasized the need to keep the proceedings small and informal. "We don't want a cast of thousands," Morton said. "What we want is to build relationships. What we want is what's good for kids." Added Atchison, "The key is getting everyone who participates to come up with solutions."

Agree to Agree

If after three or four hours, an average time frame for ADR, the parties come to an agreement, it is signed and forwarded to the IEP team who incorporates the specific points into the student's IEP. Sometimes the outcome is a partial solution and sometimes no solution, which means the situation might move to a formal process.

"There are some situations where this won't work," explained Welton. "Sometimes an administrator says, 'This is the law and I don't have a choice.' That person wants a hearing officer to make a decision."

There were also cases, he said, where the demeanor of both parties changed before his eyes: "One father put his fist on the table and said, 'You're not going to do anything different. You've already made up your mind.' The special edu-

'SAVING RELATIONSHIPS' continued on the next page

STATE SPECIAL ED MOVES FROM CCR TO QUALITY ASSURANCE AND FOCUSED MONITORING

The Special Education Division of the California Department of Education is currently transitioning the current monitoring and review process known as Coordinated Compliance Review (CCR) to a new model of Quality Assurance. The current school year is one of transition from the CCR to the newly evolving process. Next year, 1999-2000, the new process will be pilot tested and is anticipated to be fully in place by July 2000.

A key element of the proposed Quality Assurance process is the goal of helping districts monitor themselves locally, preventing systemic and persistent noncompliance that can lead to state intervention. To accomplish this, the Procedural Safeguards Referral Service Unit was formed to provide information, technical assistance, and resources to parents and district personnel. This procedure also sets in motion a process by which the local district or special education local plan area (SELPA) can attempt to resolve a poten-

tial dispute at the local level, in a non-adversarial manner, without state or legal intervention.

The proposed process will measure districts' and students' progress against key performance indicators (KPIs). The level of assistance or monitoring is determined by how well the district's progress measured against these KPIs. Three types of monitoring will be implemented (see chart below):

Continuous Improvement: occurs at the local level via a self-study and self-monitoring process based on a district's local plan. The self-study is approved by a local group of educators, parents, advocates, and others. When approved, the monitoring cycle ends. If rejected, a referral for Focused Monitoring is given.

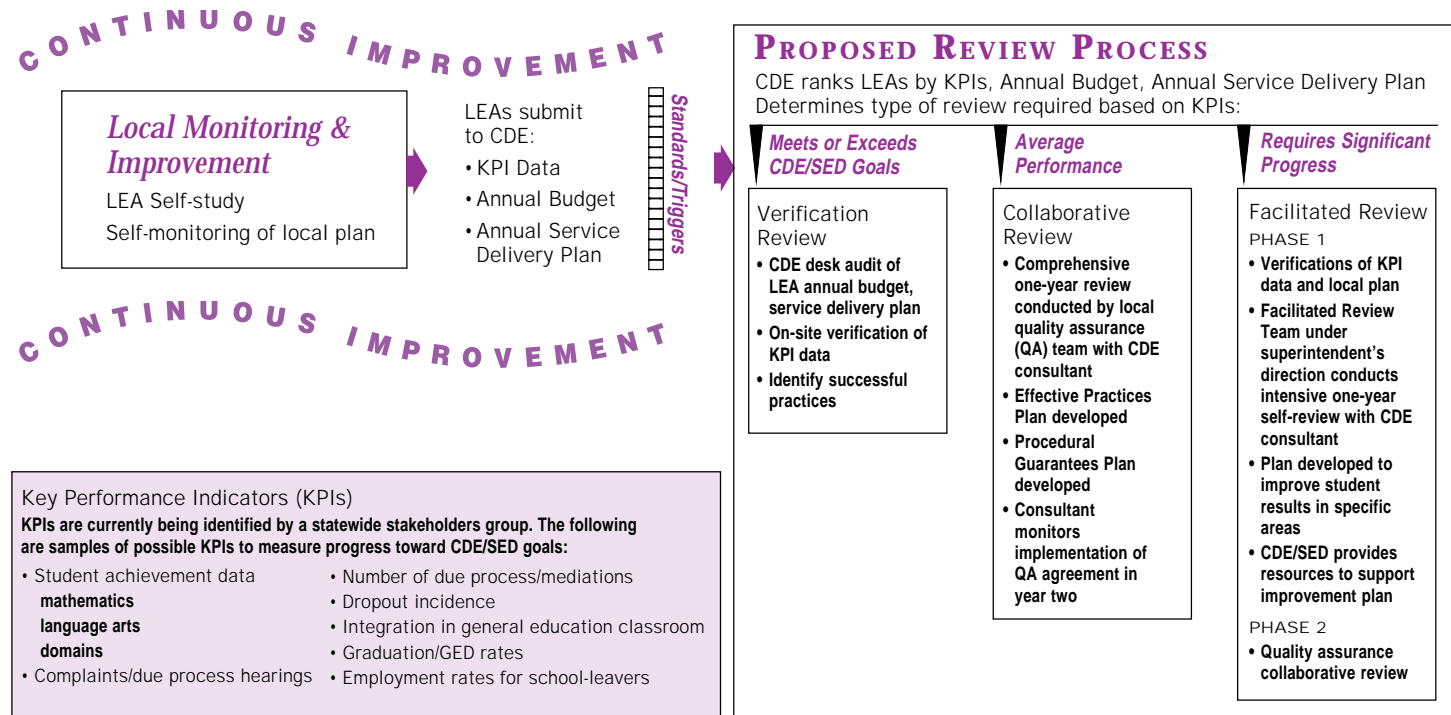
Monitoring Validation: implemented for a randomly selected sample of 5-10 percent of LEAs. Involves a comprehensive review of data to validate that the LEA is aligned with

the state's goals. If an area of need is identified, a corrective action plan is implemented.

Focused Monitoring: occurs when data indicate an LEA needs assistance to meet state standards. Involves two types: Collaborative Focused Monitoring, which takes one year to complete with monitoring during subsequent years and Facilitated Focused Monitoring, which is a two-phase process, the first phase taking at least one year and then moving to a collaborative review in phase two.

The goal of the quality assurance process is to improve the educational performance for students with disabilities while ensuring compliance with state and federal laws and regulations. The proposed process monitors LEAs to ensure students meet high standards for academic and nonacademic skills; interact with nondisabled peers; are served by qualified personnel; and successfully prepare and participate in the workforce and live independently. ■

PROPOSED MONITORING AND REVIEW PROCESS FOR PILOT TESTING 1999-2000



'SAVING RELATIONSHIPS' continued from page 6

cation director started to talk about two issues and drew him in. They ended up going to lunch to finish the agreement, which became a conduct contract for the 14-year-old student."

"So much is unknown at the beginning," added Morton. "It's scary for parents and for school personnel. That's why we do interest-based negotiations. We point out how one

party's interests are being met by meeting the interests of the other party."

Morton also said that since 1995, due process filings have dropped by more than 50 percent and she estimated the number of filings prevented at between 75-100. Welton said that of the 179 telephone calls received by Contra Costa's ADR Intake Coordinator,

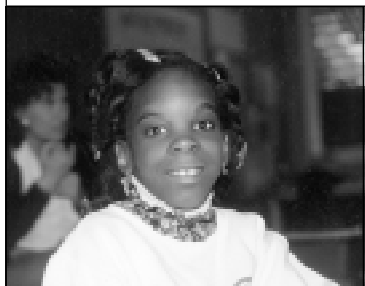
none became a filing for due process.

"What we really want is to build relationships," Morton said. "Educators enter the profession because they want what's best for kids and parents want what's best for kids. The main goal is to do what's good for kids." ■

For more information, contact Morton at 530/295-2228, Atchison at 530/889-5971, or Welton at 925/827-0949, x10.

AB 602 Workgroup Stresses Local-Le

A 40-member workgroup consisting of state and local educators, CDE staff, and persons with disabilities and their families created five subgroups from the Assembly Bill (AB) 602 Workgroup to address the state law's impact on persistent noncompliance with federal law: Program Accountability and Local Plans; Pupil Performance; Fiscal Compliance and Local Plans; Monitoring and Complaints; and Sanctions and Other Enforcement Tools. A final report was submitted to the Legislature and the Governor in March.



Proactive Approach Needed

"The clear emphasis of the AB 602 Workgroup was to do proactive work to avoid problems," said Greg Hudson, Special Education Division consultant assigned to the workgroup. "If you identify your own problems and correct them it should not be considered a weakness but a strength. That kind of self-study and self-improvement is really the ultimate goal."

The workgroup also emphasized CDE's role to provide education and technical assistance to local groups and local education agencies (LEAs). Dee Hayden, executive director of Matrix, a family network and resource center, and workgroup member said, "Members kept going back to the whole issue of training and a system of monitoring and constant evaluation. Without these, the implementation of IDEA (Individuals with Disabilities Education Act) will not happen."

Program Accountability and Local Plans

Changes to both federal and state law emphasize continuous evaluation as a way to ensure local involvement to improve program compliance. To help achieve this, AB 602 requires the addition of annual service and budget plans to the annual local plans as a central component in ensuring and maintaining compliance. The workgroup recommends that the content of these plans be specified and that the data collected in formulating and implementing these plans be used to monitor ongoing progress. "The majority of the emphasis was for local level continuous quality review," Hayden said.

Pupil Performance

Student performance must be publicly reported and used to guide local evaluation of the service plan, budget plan, and overall local plan. "What this is really about is that we have quality educational programs. It's about making sure kids progress and learn," said Hayden.

While it is expected that the vast majority of students with disabilities will participate in the Standardized Testing and Reporting Program, the statewide assessment, for those whose individualized education program (IEP) specifies a standard assessment would not be appropriate, alternate assessments must be developed by July 1, 2000.

Fiscal Compliance and Local Plans

This workgroup suggests that the annual budget plan data be implemented via the statewide account code structure, which would

allow for the monitoring of the budget and the proper use of federal and state dollars. "The adoption of this system" would help and help make them understandable.

Monitoring and Complaints

Two shortcomings were identified to assess the areas in the state with the greatest need for intervention to be adjusted by the workgroup. "Monitoring decisions should be based on pupil performance data," said Hudson. "The process to meet the needs of the matter of, 'You follow this procedure to understand what needs to be done in the educational process to facilitate en

Sanctions and Other Enforcement Tools

"The workgroup clearly identified the serious statutory consequences for noncompliance," Hudson said. "Problems with LEAs showed procedural changes, still have not been implemented again in 1998. Apparently those procedures need to be found and grow. We need to find a way to be

To remedy the lack of enforcement, the workgroup is defining two types of persistent noncompliance. The former is defined as the failure to include in an IEP; the latter as the failure to include a significant portion of all students, key personnel, and placements specified in federal or state recommended sanctions to each are to be prohibited persistent and prolonged failure.

Next Steps

"We need legislative change to make these changes happen," said. "Then you have to get out there in the trenches to make sure they know what to do. There needs to be a huge amount of persistence to make these changes happen."

For more information, contact Hudson at 916/44



Level Planning

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ollars. Maureen Burness, Yolo
rea (SELPA) director, noted that
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to the general public."

in this area—the lack of data to
reatest need and no require-
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each situation. "It is not just a
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Tools

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As in 1995, even those that
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training and technical assis-
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15-4544.

LEGISLATIVE AND ADMINISTRATIVE ACTIONS RECOMMENDED

Among the many specific issues
presented, seven recommenda-
tions, some administrative and some
requiring legislative action, summarize
the Workgroup's efforts:

1. CDE develop regulations and guidelines for the content and how to put together an annual service and budget plan, a new requirement in AB 602.
2. CDE coordinate the requirements for the annual budget plan with the Statewide Account Code Structure.
3. CDE develop a comprehensive system for using a variety of data to target LEAs and SELPAs for monitoring.
4. CDE have procedures in place that involve educators, parents, and trustees in corrective actions when on-site monitoring reveals systemic noncompliance.
5. The Legislature adopt language proposed by the Advisory Commission on Special Education regarding the educational progress of students with disabilities.
6. The Legislature adopt statutory changes that describe clear consequences for LEAs that continuously fail to implement legally binding decisions regarding services for an individual student.
7. The Legislature adopt statutory changes for a system of consequences to address systemic noncompliance. ♣

AMERICAN INSTITUTES FOR RESEARCH STUDIES

SEVERE MEDICAL DISABILITIES NOT EVENLY DISTRIBUTED ACROSS STATE

In *Special Education: Study of Incidence of Disabilities*, one of two studies mandated in Assembly Bill (AB) 602, the Special Education Reform Act, the task was to determine whether students with a medically-defined or severe disability are evenly distributed among special education local plan areas (SELPAs) and, if not, what should be done to adjust the funding?

The new funding model defined in AB 602 is based on the population of students in a SELPA rather than needed resources. The basic assumption is that each SELPA has a proportionate number of students requiring the same type and amount of special education services. The study by the American Institutes for Research (AIR) concluded that "severe and/or high-cost students are not evenly distributed throughout the state."

AIR researchers used a "severity service multiplier" as a funding adjustment for each SELPA. The multiplier is determined by a series of calculations based on the population of students in all SELPAs and the estimated costs for each student. An average cost, \$6,417, per student and a cut-off of \$111,904 for high-cost students, were used in the calculations. The report estimates \$57 million would be required to implement the needed adjustments. The 1998-99 budget included \$15.8 million toward this total and the proposed 1999-2000 budget will include another \$14.4 million. ♣

GUIDELINES, STANDARDS RECOMMENDED FOR NONPUBLIC SCHOOLS

Funding for students in nonpublic agencies and Licensed Care Institutions (LCIs), and factors effecting nonpublic schools/agencies (NPS/As) were considered in *Special Education: Nonpublic School and Nonpublic Agency Study*. The study, mandated in Assembly Bill (AB) 602, was also conducted by American Institutes for Research (AIR) staff who conducted interviews and site visits to determine recommendations regarding NPS/A issues as they relate to the new funding model.

1. Funding for LCI/NPS students

AB 602 removes the incentives previously provided to LEAs for placing special education students in NPSS. However, the 100 percent reimbursement for students residing in an LCI and also placed in an NPS remains. AB 602 does not provide additional funding for public school placement of these children. The study stresses that the resulting incentive to place children in LCIs into NPSs may not best serve the student and may violate federal requirements that a student be placed in the least restrictive environment (LRE). Furthermore, funding for any supplemental service provided to a student in an LCI is provided only if the student is placed in special education. The report goes on to suggest that the LCI/NPS funding and the incentives created under AB 602 may be in conflict with the Individuals with Disabilities Education Act (IDEA).

The report recommends that the cost of NPS/LCI placements should continue to be paid for by the State. Since LCIs are not distributed randomly among local communities, districts should not be held financially responsible because they have more students in LCIs than another district. Furthermore, services should not be made contingent on identification for special education, placement in an NPS or services provided

'NPS' continued on page 14

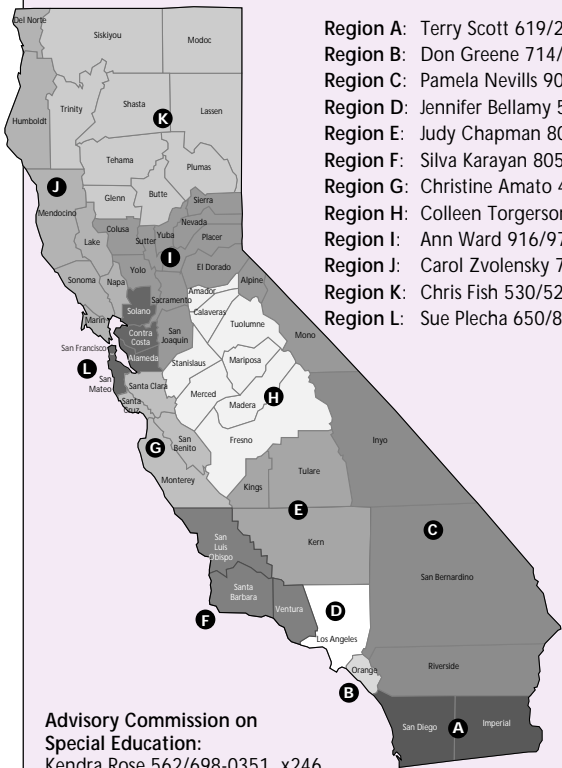
LET YOUR VOICE BE HEARD

by Gil Guerin, Co-Chair

Did you know that California is divided into 12 professional development regions? Each region has a coordinating council that meets regularly and representatives from each council, along with representatives from professional organizations, parent organizations, and state agencies meet together three or four times each year. The statewide meetings also include state special education staff and the State Director of Special Education.

The statewide group, the Comprehensive System of Personnel Development Advisory Committee (CSPDAC), is advisory to the State Director of Special Education and her staff on matters of personnel preparation and development. The committee is also involved in planning, reviewing, and disseminating information, training, and professional development-related activities. Your representatives speak for you. Contact them to learn more about professional development activities and share with them your ideas, comments, and suggestions.

If you do not know your professional development region, contact the representative nearest you. Following are the 1998-99 school, agency, and professional organization representatives:



- Region A:** Terry Scott 619/225-3877
Region B: Don Greene 714/870-4850
Region C: Pamela Nevills 909/481-4547, x257
Region D: Jennifer Bellamy 562/868-0431, x2219
Region E: Judy Chapman 805/636-4884
Region F: Silva Karayan 805/493-3420
Region G: Christine Amato 408/728-6337
Region H: Colleen Torgerson 209/441-3244
Region I: Ann Ward 916/971-7527
Region J: Carol Zvolensky 707/964-9000
Region K: Chris Fish 530/527-5811
Region L: Sue Plecha 650/802-5473

Advisory Commission on Special Education:
 Kendra Rose 562/698-0351, x246
California Association of Professors of Special Education:
 Lisa Churchill 530/898-5167
 Gil Guerin 408/924-3667
 Dorothy Rubenstein 909/869-2324
California Teachers Association:
 Ed Amundson 916/447-2531
 Tom Rogers 916/684-3549
California Department of Education:
 Don Kairott 916/657-5453
Commission on Teacher Credentialing:
 Information Services Office 916/445-7254
Comprehensive System of Personnel Development:
 Pat Hastings 916/654-3722
 Judy Reichle 916/327-4214
 Beverly Netters 916/263-8809

Parent Community Advisory Committees:
 Jean Hansen 310/539-4346
Parent Teachers Association:
 Denise LeGrande 707/425-7584
Special Education Administrators of County Offices:
 Robin Pierson 916/228-2381
Special Education Local Plan Areas:
 Don Greene 714/870-4850
 For more information, contact Janet Canning, CSPD Coordinator, 916/327-4217.

CONFERENCE FOCUSES ON CULTURAL AWARENESS

In response to the unique educational challenges California faces due to its size and diversity, San Francisco State University and the Education Equity, Access, and Support Branch of the California Department of Education are sponsoring a series of conferences entitled, "Leadership, Literacy, Language and Culture: Celebrating Successes and Confronting Challenges in California Schools."

Among the purposes of the Institute are to provide research and practice regarding the state's changing student demographics, increase awareness about language development and second language acquisition, and offer culturally relevant teaching strategies.

Remaining Institutes are March 16-17 in Fresno and April 22-23 in San Diego. ☛

For more information, call 415/338-3299.

DIVISION CONTINUES TO FUND INTENSIVES

Grants totaling more than \$200,000 continued to be awarded by the California Department of Education, Special Education Division, Early Education Unit, to the 11 superintendent regions for the 1998-99 school year. Regional intensive funds are used to design workshops for staff who provide special education services to the birth to 5-year-old population and parents.

During the 1997-98 school year, more than 2,500 individuals attended the statewide workshops on nearly 50 topics, including autism, social/emotional issues, feeding therapy, hearing and vision assessment, transition, sensory motor issues, early literacy, communication, a father's network, and behavior. ☛

For more information, contact Fran Hill, Special Education Consultant, 916/327-3699.

EARLY START PROGRAM GUIDE AVAILABLE

A new guide is available to help special education local plan area staff, local education agency staff, and parents understand state-level policy that governs Part C of the Individuals with Disabilities Education Act, known as Early Start in California.

The California Department of Education Early Start Program Guide examines the nine essential elements of the state's early intervention program for infants and toddlers with disabilities or at risk of disabilities and their families: identification/referral, evaluation/assessment, individualized family service plan, service provision, service coordination, procedural safeguards, program administration, personnel, and transition. ☛

For ordering information, contact the Publications Division at 916/445-1260.

MATRIX TO TRAIN PARENTS, EDUCATORS, PTIs ON ALTERNATIVE DISPUTE RESOLUTION

Matrix Parent Network and Resource Center is part of a national effort to promote the use of alternative dispute resolution in solving problems that arise between parents and schools around special education issues. Matrix serves families in the North Bay as part of a coalition with the Disability Rights Education Defense Fund (DREDF) and Parents Helping Parents of Santa Clara, and is one of California's original Parent Training and Information Centers (PTIs).

As part of a federally funded project called CADRE, Matrix will provide information and training to parents, school personnel, and other PTIs to assist them in effectively using alternative dispute resolution techniques. The project is coordinated by Lane County Direction Service in Eugene, Oregon. ☛

For more information, contact Diedre Hayden at Matrix, 415/884-3535.

The Special Education Division is sponsoring a series of trainings and providing technical assistance for special and general educators on 10 hot topics.

ONE-DAY WORKSHOPS

Beginning this April, California Services for Technical Assistance and Training (CalSTAT) will offer 39 one-day workshops on six topics.

IDEA '97: Improving Outcomes for Children with Disabilities—intents, requirements and practices; FAPE and LRE, assessment and reassessment; IEPs; transition services

Sacramento • April 8	Oakland • April 17	Fresno • May 15
Santa Barbara • April 13	Redding • April 27	San Diego • May 22
	Los Angeles • May 1	

Developing Integrated Support Services for Improving Student Success—school-based, school-linked integrated services, creating successful collaborative partnerships

Santa Barbara • April 12	Los Angeles • May 14	Sacramento • June 18
Fresno • May 7	Oakland • May 18	San Diego • June 25
	Redding • June 15	

Crossing Alligator River: Alternative Dispute Resolution Skills—practical skills for resolving conflicts; understanding nature of conflict (Collaborative Systems Change)

San Diego • April 24	Sacramento • May 10	Oakland • June 5
Fresno • May 8	Santa Barbara • May 24	Los Angeles • June 12
	Redding • May 27	

Unifying Special and General Education to Support All Students in Achieving Standards—understanding the changing context of special education and exploring new ways of working together

Oakland • May 17	Los Angeles • June 11	Fresno • June 22
Santa Barbara • June 8	Redding • June 14	San Diego • June 24
	Sacramento • June 17	

Behavior Plans Consistent with IDEA Mandates—analyzing behavior, developing effective behavior plans, functional behavioral assessment, manifestation determination

Sunnyvale • April 16	Fresno • April 20	Redding • May 28
	Sacramento • May 11	

Phonics for the Older Student—for grades 4-8: decoding strategies, spelling techniques, comprehension, writing skills, English language structure

Sacramento • April 9	San Diego • April 23	Santa Barbara • May 25
Fresno • April 19	Redding • April 26	Oakland • June 4
	Los Angeles • April 30	

WEB-BASED TRAINING

Training will be offered electronically on the web from April 19 through May 7. Preregistration is required for all trainings. To register, visit the CalSTAT website.


The New IEP: Goals and Objectives That Reach—new requirements for writing goals and objectives, collecting meaningful progress data, using district grade level standards

Promising Practices in Special Education: Guidance From the Research—different populations' needs; reading, math, and social literacy; instructional strategies; leadership; collaboration; transition issues

Supporting Students with Disabilities to Achieve Their Hopes and Dreams: Secondary Education and Transition Services—self-determination, interagency transition planning, working with parents, resources

Assessment: Bridging the Gap Between Teaching and Learning for All Students—assessment issues, accommodations, and curriculum adaptations

TECHNICAL ASSISTANCE

Local education agencies (LEAs) may also request technical assistance, including specific trainings from CalSTAT, through June 30. Technical assistance such as on-site support and ongoing telephone and/or electronic follow-up is available to LEAs "with significant needs as self-identified and as identified through State monitoring systems," explained Geri West, CalSTAT project manager. LEA administrators may request assistance in any area from compliance issues to best practices. 

For information, contact CalSTAT at 707/664-3062 or www.sonoma.edu/cihs/calstat/calstat.html.

Alzheimer's Disease & Related Disorders
800/272-3900

AMC Cancer Information Center
800/525-3777

American Council of the Blind
800/424-8666

American Diabetes Association
800/232-3472

American Kidney Fund
800/638-8299

American Liver Foundation
800/223-0179

**American Paralysis Association/
Spinal Cord Injury Hotline**
800/526-3456

American Society for Deaf Children
800/942-2732

Americans with Disabilities Act Information Line
800/514-0301 TDD: 800/514-0383

The ARC (formerly Association for Retarded Citizens of the U.S.)
800/433-5255

Autism Society of America
800/328-8476

California Deaf-Blind Services
800/822-7884

California Relay Service
800/735-2922

Cancer Information Line
800/4-CANCER (800-422-6237)

Center on Education and Training for Employment at Ohio State University
800/848-4815

Cystic Fibrosis Foundation
800/344-4823

Early Start (California's early intervention program)
800/515-BABY

Epilepsy Foundation
800/EFA-1000 (800/332-1000)

Foundation Fighting Blindness
800/683-5555 TDD: 410/225-9409

Higher Education & Adult Training for People with Handicaps
800/54-HEALTH (800/544-3284)

International Dyslexia Association
800/222-3123

International Shriners Headquarters
800/237-5055

Jewish Lung Line (lung disorders, allergies, immune diseases)
800/222-5864

Job Opportunities for the Blind (JOB)
800/638-7518

National Alliance for Hearing & Speech
800/638-TALK (800/638-8255)

National Center for Stuttering
800/221-2483

National Down Syndrome Society
800/221-4602

REGIONAL FORUMS, STATE PANEL TO DEVELOP PLAN FOR BUILDING FAMILY PARTNERSHIPS

The most critical partner in a child's education—especially special education—is the parent and family. So to improve education in California, strong family partnerships must be built," said State Director of Special Education Alice Parker.

Three regional forums will be held to develop recommendations for state-level strategies to model and encourage family partnerships. Forums of 60 family members and professionals will meet in Fresno, Oakland, and Los Angeles county for two days to "network and dialogue about building partnerships at the local level and to recommend what the state can do to provide leadership," explained Beth Rice, special education consultant.

"Each forum has been planned by parents for parents and their partners," said Linda Blong, who is managing this special project of the California Department of Education (CDE), Special Education Division, through California Services for Technical Assistance and Training (CalSTAT).

Forum participants will:

- 1) Recommend state-level strategies to support family partnerships
- 2) Recommend local and regional strategies for supporting the State Improvement Plan
- 3) Identify regional family partnerships to utilize in implementing the Plan
- 4) Gain information on successful strategies and tools demonstrating or encouraging partnerships
- 5) Gather resources and make personal contacts

Forum participants will develop recommendations to CDE regarding:

- Resource and referral services at CDE and complaint processing.
- Integrated Training and Technical Assistance as specified in the State Improvement Plan.
- Collaborative Planning, Implementation and Evaluation as being developed by CDE in the new Quality Assurance and Focused Monitoring System and in the Family Involvement Participation

Fund proposed in the State Improvement Grant.

The recommendations of the regional forums will be forwarded by six representatives elected at each regional forum to the State-wide Panel on Family Partnerships. This panel is scheduled to meet April 12-13 with Parker. After consolidation and refinement of the recommendations, a comprehensive action plan to develop family partnerships will be brought to the Partnership Committee on Special Education and the State Advisory Commission on Special Education for approval.

A website is also being developed by CDE and CalSTAT for sharing information on successful strategies that demonstrate family partnerships in education. ■

For more information, contact Rice at 916/327-0843, Blong at 707/664-4399, or visit the CalSTAT website at www.sonoma.edu/cihs/calstat/calstat.html and click on "Family Partnerships." For parent and family resources and information, call the RiSE Library at 800/869-4337 or any of California's Parent Training and Information Centers listed at right.

California Parent Training and Information Centers Offer Clinics, Workshops, Training and Support

Parent Training and Information Centers (PTIs) are organizations funded by the U. S. Department of Education, Office of Special Education Programs, under the Individuals with Disabilities Education Act (IDEA).

PTIs provide training and information for parents of children with disabilities, from birth through 21 years, in the communities served by each center, particularly underserved parents.

PTIs serve parents of infants, toddlers, and children with a full range of disabilities in many ways:

- To better understand the nature of their children's disabilities and their educational and developmental needs
- To communicate effectively with early intervention, special education, and related services personnel
- To participate in decision making and the development of individualized education programs and individualized family service plans
- To obtain appropriate information about the range of options, programs, services, and resources available
- To understand the provisions of IDEA
- To participate in school reform activities

In addition, PTIs help parents understand and effectively use procedural safeguards, particularly alternative methods of dispute resolution such as mediation.

PTIs may also help students understand their legal rights and responsibilities when they reach the age of majority.

Below are just a few of the many current activities of California's PTIs.

Exceptional Family Support, Education and Advocacy Center

6402 Skyway
Paradise, CA 95969, 530/876-8321
sea@sunset.net • www.sea-center.org
Newly-funded center operates Partnerships in Education: A Mentor Parent Program with Butte County SELPA. Developing a training curriculum on special education system.

Exceptional Parents Unlimited

4120 N. First St.
Fresno, CA 93726, 559/229-2000
epu1@cybergate.com
Sponsoring "Great Expectations" conference October 14 featuring special education attorney Reed Martin and Protection and Advocacy, Inc. Concurrent strands offered in English, Spanish, and Hmong.

Parents Helping Parents of San Francisco

1801 California
Eureka, CA 95501
707/441-8400
PHP-SF staff are presenting at the National Sickle Cell Program Annual Meeting and the Juvenile Law and Education Institute.

Support for Families of Children with Disabilities

2601 Mission #710
San Francisco, CA 94110-3111
415/282-7494 • sfcdmiss@aol.com
Offers clinics on a variety of topics. Upcoming parent mentor training. Also has Community Resource Parents who provide outreach and support. Community Education teams also provide outreach and education.

TASK

100 West Cerritos Ave., Anaheim, CA 92805,
714/533-8275 • taskca@aol.com
Provides newsletter, bilingual parent information packets, and workshops.

TASK, San Diego

3750 Convoy St., Suite 303
San Diego, CA 92111-3741
619/874-2386
New training on parents' legal rights is being offered.

Northern California Coalition**Matrix**

94 Galli Dr. Suite C, Novato, CA 94949
415/884-3535, 800-578-2592
matrix@matrixparents.org
www.matrixparents.org
Health care summit May 7 in San Francisco, ongoing individualized education program (IEP) workshops and clinics, a new publication entitled *Health Care Connections: A Guide for Families*, and spring training on IDEA.

Disability Rights Education Defense Fund

2212 6th St., Berkeley, CA 94710
510/644-2555, 800-466-4232
[dredf@dredf.org](http://dredf.org) • www.dredf.org
English and Spanish trainings on the IEP & IDEA are offered with a parent handbook.

Parents Helping Parents

3041 Olcott St.
Santa Clara, CA 95054-3222
408/727-5775, 408/727-7655 (TDD)
info@php.com • www.php.com
Sponsoring a Family Fair in May for parents and Early Start interagency service providers. Also providing "Strategies" workshops for training and technical assistance.

REGIONAL FORUMS

Building Family Partnerships

Fresno • February 25-26
Oakland • March 12-13
Lakewood • March 15-16

State Panel for Family Partnerships in Education

April 12-13

by Invitation Only

For more information, contact Beth Rice, Special Education Consultant, at 916/327-0843 or Linda Blong, Program Manager, CalSTAT, at 707/664-4399.



R e s o u r c e s I N F O R M A T I O N

Following is a sample of the more than 8,000 books, research articles, journals, and media items available through the RISE Library. Patron applications, available to California residents only, must be on file to order materials. Call 916/492-9990 for an application or for the newest Library Update. Library hours are Monday-Thursday, 8 am-5 pm and Friday by appointment only.

ITEMS OF INTEREST

Conducting Individualized Education Program Meetings That Withstand Due Process

Hollis, J.N., Charles C. Thomas Publisher Ltd., Springfield, IL (1998). Helps parents, administrators, teachers and assessment professionals meet basic requirements of conducting an IEP team meeting in a way that produces defensible IEP decisions in a litigious environment. 171 pp.

Negotiating the Special Education Maze: A Guide for Parents and Teachers

Anderson, W., et al., Third Edition, Woodbine House, Bethesda, MD (1997). Updated information on the process of educational advocacy through description of Part B of IDEA, eligibility, IEPs, due process, transition, early intervention, and Section 504 and the ADA. 264 pp.

The 1997 IDEA Amendments: A Guide for Educators, Parents and Attorneys

Jones, N.L. & Aleman, S.R., LRP Publications, Horsham, PA (1997). Reference manual on PL 105-17. Discusses major revisions and additions to the law. Appendices include a conversion table of U.S. Code sections; effective dates of the reauthorized IDEA; sample confidentiality agreement for mediation; and an OSEP memo about disciplining students. 266 pp.

Conflict Management in Early Intervention

Conflict Management Institute, University of Iowa, Iowa City, IA (1998). Discusses early intervention comprehensive conflict management systems, processes for resolution of early intervention disputes, negotiation, IFSPs, and mediation. 34 pp.

Learning from Conflict:

A Handbook for Trainers and Group Leaders

Hart, L.B., King of Prussia, PA (1989). Presents four assumptions about how conflicts develop, how they are understood and resolved, and how what is learned from them is important. Provides information and training activities. 218 pp.

Guidelines and Procedures for Meeting the Specialized Physical Health Care Needs of Pupils

California Department of Education, Sacramento, CA (1990). To be used or modified, as directed by an attending physician and surgeon, for the specific and unique needs of the pupils for whom these services may be provided. 150 pp.

Public Services for Private School Students and Reimbursement for Private School Costs

Woliver, S., Lozano Smith Smith Woliver & Behrens. San Rafael, CA (1998). Legal discussion of IDEA amendments addressing responsibilities of states, local districts, and parents with respect to children in private schools. 47 pp.

Standards for Performing School Psychologist Job Responsibilities

McDaid, J., et al., California Association of School Psychologists (1998). Standards and guidelines to use in planning, implementing, and evaluating quality psychological services to children and their families. 5 pp.

Guidelines and Procedures for Meeting the Specialized Physical Health Care Needs of Pupils

California Department of Education, Sacramento, CA (1990). To be used or modified, as directed by an attending physician and surgeon, for the specific and unique needs of the pupils for whom these services may be provided. 150 pp.

NEW ACQUISITIONS

What Every Educator Should Know About Landau-Kleffner Syndrome

Chapman, T., et al., *Focus on Autism and Other Developmental Disabilities* 13(1) (1998). Presents the primary and secondary characteristics of this syndrome. Suggests several teaching strategies. 5 pp.

The Role of IQ in Special Education Placement Decision: Primary and Determinative or Peripheral and Inconsequential

Macmillan, D.L. & Forness, S.R., *Remedial and Special Education* 19(4) (1998). Reviews the use of IQ as a placement decision variable and discusses the role that IQ should serve. 15 pp.

Who's Doing the Pointing? Investigating Facilitated Communication in a Classroom Setting with Students with Autism

Kerrin, R.G., et al., *Focus on Autism and Other Developmental Disabilities* 13(2) (1998). Study investigates the accuracy of facilitated communication, including when the facilitator was "blind" and "sighted." Results indicate higher percentage when pointing to pictures and objects with the "sighted" facilitator. 7 pp.

The Learning Standards and Alternate Performance Indicators for Students with Severe Disabilities

The University of the State of New York, et al., (1998). Provides alternate performance indicators, possible tasks, and ideas to use in implementing a curriculum for students with severe disabilities. 53 pp.

The National Learning Disabilities Postsecondary Data Bank: An Overview

Vogel, S.A., et al., *Journal of Learning Disabilities* 31(3) (1998). Questionnaire to postsecondary institutions provides insight into the practice, policies, procedures and proportion of students with learning disabilities in these institutions. 4 pp.

Social Outcomes for Students With and Without Learning Disabilities in Inclusive Classrooms

Vaughn, S., et al., *Journal of Learning Disabilities* 31(5) (1998). Study examines the social outcomes in two different mainstreamed settings. 9 pp.

The Performance of Students with Disabilities in a Norm-Referenced, Statewide Standardized Testing Program

Gronna, S.S., et al., *Journal of Learning Disabilities* 31(5) (1998). Study looks at the issue of students with disabilities taking a norm-referenced assessment. The concepts of local and subgroup norms as well as aggregating and disaggregating test scores are discussed. 12 pp.

Teachers' Knowledge of Accommodations as a Validity Issue in High-Stakes Testing

Hollenbeck, K., et al., *The Journal of Special Education* 32(3) (1998). Study points out that several problems with assessment are dependent on teacher knowledge of testing accommodations. Suggests the need for preservice/in-service measurement training. 9 pp.

Acquiring Social Skills Through Cooperative Learning and Teacher-Directed Instruction

Prater, M.A., et al., *Remedial and Special Education* 3, May/June (1998). Study looks at the effectiveness of three teaching methods of social skills in cooperative learning groups. 13 pp.

Individualized Education Programs in Resource and Inclusive Settings: How Individualized are They?

Espin, C.A., et al., *The Journal of Special Education* 32(3) (1998). Study examines IEPs of students served in both resource and inclusive settings. Results indicate that resource IEPs included tailoring to individual student needs while the IEPs from inclusive classrooms used techniques focused on teaching large groups of students. 11 pp.

Improving Special Education Through Compliance: Preliminary Report of the AB 602 Workgroup to the Legislature and Governor

California Department of Education, Special Education Division, Sacramento, CA (1998). Provides recommendations to be submitted to the Legislature and Governor about compliance issues raised in AB 602. 71 pp.

California's Class Size Reduction: Implications for Equity, Practice and Implementation

Wexler, E., et al., Policy Analysis for California Education/ WestEd, San Francisco (1998). Presents first-year implementation study results of data from 12 urban school districts' staff and administrators to assess achievement results of CSR; its effect on teaching, learning, and student performance in the classroom; and to refine some policy and research questions to be evaluated. 33 pp.

The IDEA Alignment Project: 1998 Training and Technical Assistance Offerings, Master Trainers Guide and Curriculum

California Department of Education, Special Education Division, Sacramento, CA (1998). Nine modules include History of the IDEA, Guiding Principles, FAPE, Assessment and Reassessment, IEPs, LRE, Transition, Procedural Safeguards, and Complaint Management. Highlights changes from previous law and discusses strategies for putting requirements into practice. 402 pp.

Taking Inclusion Into the Future

Lipsky, D.K. & Gartner, *Educational Leadership*, 56(2) (1998). Includes a study conducted by the National Center of Education Restructuring and Inclusion that identifies seven factors for successfully implementing inclusive education. 4 pp.

The Legal Basis of Inclusion

Yell, M.L., *Educational Leadership*, 56(2) (1998). Discusses continuum of special education services and three court cases that have begun to define how LRE is determined. 4 pp.

VIDEOTAPES

What We Know...How We Teach: Linking Medicine and Education for the Child with Special Needs

Buehler, B., National Professional Resources, Inc. (1998). Links various medical conditions to their impact on learning for special healthcare children in inclusive settings at school. Features autism, Fragile X, FAS, and ADHD. 34 min.

The New IDEA: What Regular Educators Need to Know

Maloney, M., LRP Publications, Horsham, PA (1997). Discusses how the IDEA, amended in 1997, affects regular teachers, administrators, and school board members. Includes reproducible supplement "Disciplining Children with Disabilities" and discussion of identification, evaluation, discipline, parent participation requirement, and review and revision of IEP. 32 min.

by an NPA. The amount of funding should also include money for ongoing monitoring and assessment of these students. Finally, a different funding model and the need for further study and data collection regarding the new model is recommended.

2. What factors affect the decision to use NPS/As?

Data from the study suggest a general concern regarding the lack of standards to guide decisions about appropriate programs for children with special education needs.

Special education local plan area (SELPA) directors also noted their concern about not being immediately notified when NPS/A students are placed in their districts. The report recommends a formal procedure be implemented, a requirement already noted in IDEA.

Respondents also said not enough emphasis is placed on transitioning from an NPS placement to public school. Holding each district responsible for monitoring NPS placements and providing fiscal incentives to support monitoring is suggested.

The data from the study also indicated that staff would often attend meetings for a student with a predetermined idea of the types of services that were needed for a student by other agencies. The report recommended that agencies refrain from making decisions regarding services provided by other agencies.

3. What impact do mediation and due process have on the use of NPS/As?

Although mediation was seen as an effective alternative to litigation that should continue to be supported and encouraged, it was also noted that it is becoming increasingly contentious. The study recommends increasing the use of alternative dispute resolution, the process of parties working cooperatively to resolve disputes.

The report also suggests that mediator and hearing officer qualifications should include educational as well as legal requirements. Finally, the recommendation that a balanced team of special educators, lawyers, and other representatives should be used to solve disputes was also made.

Interviews revealed that decisions of hearing officers on similar issues are sometimes inconsistent, which may result in inappropriate placement decisions. The report recommends that due process decisions be based on best practices, which would require establishing guidelines.

4. How do the costs of public school placements compare to placements in NPS/As?

NPS placements cost more on average than public schools but the former provide more intensive services. Additionally, AB 602 eliminates the fiscal incentive for NPS placement. Rather than continue to compare private versus public costs for special education, the report suggests that ensuring comparable certification of staff, monitoring standards, and staff eligibility be applied to all public and nonpublic services.

Treating Kids Like Kids

One student, who might even be considered a charter member of those served by Huish's trainees, was Paul Rose. Now a 13-year-old student at Thornton Junior High School, Paul was born weighing less than two pounds and as his mother, Patt, explained, "With every medical problem under the sun," including cerebral palsy and a learning disability. Although he wasn't expected to live 24 hours, Paul defied his Stanford doctors and went home after nearly a year in the neonatal intensive care unit.

When he reached school-age, Rose began the struggle of enrolling Paul in school. Although she wasn't fearful of having his specialized health care needs taken care of by other people, she said, "School personnel were scared to death to deal with Paul. No matter how many doctors they spoke to, they were just scared to death. There was no procedure set up for the right people." Rose was told if she wanted her son in school, she would have to be there too, so she spent two years in the classroom trying to help her son receive an education.

Knowing she couldn't do this for the rest of Paul's academic career, Rose was instrumental in expressing the need for specially-trained personnel to deal with students with specialized health care needs in the classroom and a strong supporter of Huish's program.

"The district isn't really protecting the child by keeping him out of school," she said. "Nobody was looking at the fact that all kids are different. We used to have four or five major meetings about how to treat Paul and nothing got resolved. They didn't treat him like a child—they treated him like a medical problem."

Today, Paul's specialized health care needs are cared for in a Learning Handicapped classroom setting. His tracheostomy is monitored constantly, he receives regular suctioning, and he receives academic help, all from Cindy Paul, his aide, who was trained in tracheostomy care, catheterizations, and other procedures.

"I think this training is invaluable," said Paul, who does the majority of necessary procedures right in the classroom. "It's kept kids in the mainstream with other kids and has allowed them to go to regular school with regular kids."

Added Rose, "Whereas one child blows his nose, Paul gets suctioned. Now he seems as relaxed at school as he has always been at home."

Providing Necessary Supervision

Since the program began five years ago, Huish said, "We saw children's needs being served safer and quicker. There was also a calming down of special education teachers and parents."

Along with Paul, more than 100 special education students are cared for in Huish's district, which covers 53 elementary schools, four junior high schools, and five high schools that serve a special education population of nearly 2,900 students.

To ensure the quality of care received, Huish and Medlin observe their team of six itinerant aides monthly as they perform a variety of procedures. Some of these are changing a colostomy bag, feeding through a gastrostomy tube, and monitoring a student's blood glucose level. Although Huish's responsibilities now emphasize his role as an adult trainer, he said, "I also try to visit the classrooms as often as I can for my kid fix."

Everyone involved in the training program looks forward to more trainees and perhaps even becoming a statewide model so more students can be properly served and receive the education to which they are entitled just like any other child. Said Rose, "Thomas teaches his aides not only to make sure they know their medical procedures but also how to treat the child with respect. He makes sure that they know they are working with a person, not a medical problem or a handicap situation."

For more information, contact Huish at 510/796-0436.

C A L I F O R N I A J O B B O A R D

(p) POSITION

(s) SALARY

Anaheim City School District (Orange County)-Ann Beavers, 1001 S. East St., Anaheim 92805. 714/517-8569. Deadline: Open (p) VH Teacher (s) \$34,207-\$60,073.

Butte COE-Candy McCracken, 1859 Bird St., Oroville 95965. 530/538-7855. Deadline: Open (p) SH Teacher, SED Teacher (s) \$27,004-\$46,409.

Hawthorne SD (Los Angeles Co.)-Sharon Andrade, 14120 Hawthorne Blvd., Hawthorne 90250. 310/3676-2276. Deadline: Open (p) S/L Pathologist (s) Competitive.

Long Beach USD (Los Angeles Co.)-Maggie Webster, 1515 Hughes Way, Long Beach 90810. 562/997-8214. Deadline: Open (p) Deaf/HH Specialist, APE Specialist, Resource Specialist, S/L Specialist, SLD/Aphasia Teacher (s) \$30,811-\$60,800.

Check for listings on the Internet
Submit and Search the California Special
Education Job Vacancies Database
www.cde.ca.gov/spbranch/sed/index.htm

MARCH

March 2-3 • Sixth Annual Family Literacy Conference, California Department of Education, DoubleTree Hotel, Costa Mesa. Contact: 916/657-2916.

March 2-3 • Comprehensive System of Personnel Development Advisory Committee, California Department of Education, Special Education Division, Sacramento. Contact: 916/445-4589.

Infant/Preschool Meetings

California Department of Education
Special Education Division, Early Education Unit

March 2 • Braille Institute, Los Angeles

March 3 • Diagnostic Center, Fresno

March 4 • Greater Bay Area

March 9 • San Diego

March 10 • Woodland

March 11 • Santa Barbara County Office of Education

March 16 • Shasta County Office of Education, Redding

May 11 • West End SELPA, Rancho Cucamonga

Contact: 916/445-4623

March 9 • "Building Basic Skills Through Precision Teaching," National Association of State Directors of Special Education (NASDSE) and Interactive Teaching Network (ITN), Satellite Training. Contact: Local County Office of Education or SELPA Director.

March 12-14 • California Association of Physical Education, Recreation, and Dance, 66th Annual Conference, DoubleTree Hotel, Monterey. Contact: 916/922-3596.

March 12-14 • "Good Teaching Conference," California Teachers Association, Wyndham Hotel, Los Angeles. Contact: 650/568-5765.

March 13 • "Bridging the Gap Between Home and School," Matrix Parent Network and Resource Center, Greenbrae. Contact: 415/884-3535.

March 15-20 • "Technology and Persons with Disabilities," The 14th Annual International Conference, California State University, Center on Disabilities, Northridge, Los Angeles Airport Hilton & Towers and Los Angeles Airport Marriott Hotels. Contact: 818/677-2578.

March 16 • "Teaching the Toughest," National Association of State Directors of Special Education (NASDSE) and Interactive Teaching Network (ITN), Satellite Training. Contact: Local County Office of Education or SELPA Director.

March 16-17 • "Leadership, Literacy, Language and Culture: Celebrating Successes and Confronting Challenges in California Schools," San Francisco State University and California Department of Education, DoubleTree, Fresno. Contact: 415/338-3299.

March 17-19 • Advisory Commission on Special Education, California Department of Education, Special Education Division. Sacramento. Contact: 916/445-4603.

March 17-20 • "Celebrating 50 Years Helping Children Succeed," California Association of School Psychologists' Convention '99, Pasadena Center. Contact: 916/444-1595.

March 24 • "Linking the General Curriculum to the IEP," National Association of State Directors of Special Education (NASDSE) and Interactive Teaching Network (ITN), Satellite Training. Contact: Local County Office of Education or SELPA Director.

March 25-27 • "Accent on Accountability," 16th Annual Conference, Small School Districts' Association, Sacramento. Contact: 916/922-2020.

APRIL

April 12-13 • "State Panel for Partnerships in Education," California Services for Technical Assistance and Training (CalSTAT) Regional Forum. Contact: 707/664-4399.

April 13 • "Classroom Management: A Proactive Approach," National Association of State Directors of Special Education (NASDSE) and Interactive Teaching Network (ITN), Satellite Training. Contact: Local County Office of Education or SELPA Director.

April 13 • "Practical Strategies for Inclusion," National Association of State Directors of Special Education (NASDSE) and Interactive Teaching Network (ITN), Satellite Training. Contact: Local County Office of Education or SELPA Director.

April 15-18 • "Preparing for the New Millennium," California Speech-Language-Hearing Association, Pasadena. Contact: 916/921-1568.

April 21-23 • Advisory Commission on Special Education, California Department of Education, Special Education Division. Sacramento. Contact: 916/445-4603.

April 22-24 • "Leadership, Literacy, Language and Culture: Celebrating Successes and Confronting Challenges in California Schools," San Francisco State University and California Department of Education, Town & Country Resort, San Diego. Contact: 415/338-3299.

April 22-24 • "A Successful Team," 2nd Annual California Paraeducator Conference, California Department of Education, Association of California School Administrators, California State University, Long Beach, and California School Employees Association. Anaheim Hilton Hotel. Contact: 408/263-8000 x288.

April 25-26 • "The Child with Special Needs," National Conference Addressing Issues in Early Development: Birth to Five Years, Grand Hyatt, Washington, DC. Contact: 925/828-7100.

April 25-28 • 20th National Institute on Legal Issues of Educating Individuals with Disabilities, San Francisco Hilton & Towers. Contact: 800/727-1227.

April 27-28 • Partnership Committee on Special Education, California Department of Education, Special Education Division, DoubleTree, Sacramento. Contact: 916/327-4217.

April 28-30 • "Legal, Legislative Program," Orange County Administrators of Special Education Annual Desert Conference, Indian Wells. Contact 714/870-4850.

Special Education Workshops

IDEA '97: Improving Outcomes for Children with Disabilities

Sacramento • April 8	Santa Barbara • April 13
Oakland • April 17	Redding • April 27
Los Angeles • May 1	San Diego • May 22

Phonics for the Older Student

Sacramento • April 9	Fresno • April 19
San Diego • April 23	Redding • April 26
Los Angeles • April 30	Santa Barbara • May 25
Oakland • June 4	

Developing Integrated Support Services for Improving Student Success

Santa Barbara • April 12	Fresno • May 7
Los Angeles • May 14	Oakland • May 18
Redding • June 15	Sacramento • June 18

Behavior Plans Consistent with IDEA Mandates

Sunnyvale • April 16	Fresno • April 20
Sacramento • May 11	Redding • May 28

Crossing Alligator River:

Alternative Dispute Resolution Skills

San Diego • April 24	Fresno • May 8
Sacramento • May 10	Santa Barbara • May 24
Redding • May 27	Oakland • June 5
Los Angeles • June 12	

Unifying Special and General Education to Support All Students in Achieving Standards

Oakland • May 17	Santa Barbara • June 8
Los Angeles • June 11	Redding • June 14
Sacramento • June 17	Oakland • June 22
San Diego • June 24	

Contact: California Services for Technical Assistance and Training (CalSTAT), 707/664-3062.

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From Record-Setting Premie to Avid Baseball Player

by Elissa Provance, Associate Editor

When Thomas Huish, a registered nurse and a special education credentialed school nurse working with students needing physical health care, moved offices recently, he found a decade-old notebook designed to help school nurses treat students with specialized physical health care needs who were entering the classroom in accordance with the Individuals with Disabilities Education Act.

"It was three people with three phone numbers," Huish said with a laugh. "Now I have, not only an entire rolodex, but countless phone numbers in my head from maintenance workers to nutritionists."

Aside from being a walking yellow pages, Huish is also responsible for Fremont Unified School District's Itinerant Aide Program, which trains special education instructional aides to perform specialized health care procedures so students with these disabilities can be served properly in the classroom.

"We were getting special education students with specialized health conditions such as tracheostomies, catheterizations, and blood glucose problems," Huish explained. In looking at the California Department of Education's "Green Book," *Guidelines and Procedures for Meeting the Specialized Physical Health Care Needs of Pupils*, which describes protocol for handling students with severe medical needs, Huish realized more and more students were fitting within the "medically-fragile" category.

"General education school nurses were providing for the specialized health care needs of students in special education," he said, "and some were saying students were too involved and that they needed more help." As the district's only special education specialized physical health care nurse at the time, many teachers relied on Huish for that help.

"More and more students were enrolling in my school. Before I realized it, I needed more people to train to accommodate the students' needs," he said.

Program Leads to Calm

With the district superintendent's blessing, Huish recruited three special education aides to begin training along with Judith Medlin, also a registered nurse and a newly-assigned half-time credentialed school nurse.

"At the time, I was working half-time for general education and half-time for special education," Medlin said. "The big eye opener was the number of students I saw with special health care needs. I did not realize we had so many."

Building on the Board of Registered Nurses allowance for unlicensed assistive personnel to be supervised by credentialed school nurses, Huish began putting together a training curriculum that now includes everything from proper lifting techniques for students in wheelchairs to universal precautions for dealing with blood and other bodily fluids to how to administer



medications in school. District policy, problem solving, and information on confidentiality and legal issues were also presented to the trainees. Whatever the subject, the goal for Huish, a former teacher, was "to keep kids safe and included."



Paul Rose has his academic and specialized health care needs met at Thornton Junior High School in Fremont Unified School District. He also is an avid baseball player (picture at right).

'SAFE AND INCLUDED' continues on page 14

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